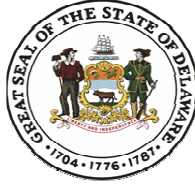


**JOSEPH R. BIDEN, III**  
Attorney General



**DEPARTMENT OF JUSTICE**

**NEW CASTLE COUNTY**  
Carvel State Building  
820 N. French Street  
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Criminal Division (302) 577-8500  
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114 E. Market Street  
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**PLEASE REPLY TO:**

January 15, 2008

[New Castle County-Civil Division]

The Honorable Sue L. Robinson  
United States District Court  
District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE 19801

Re: ***Collins v. Hunter, et al.,***  
**D. Del., C.A. No. 05-624-SLR**

Dear Judge Robinson:

Please allow this letter to reflect State Defendant Raphael Williams' waiver of his right to file a reply in support of his Motion To Dismiss Pursuant To Federal Rule Of Civil Procedure 37 Or, In The Alternative, Motion For Summary Judgment (D.I. 91) (the "Motion"). Plaintiff Harry T. Collins' response to the Motion was due on January 8, 2008. To date, however, Mr. Collins has not filed a response. Therefore, State Defendant Williams rests on the facts, arguments and law contained in the Motion and asks the Court to grant him the requested relief. Thank you.

Sincerely,

/s/ Erika Y. Tross

Erika Y. Tross  
Deputy Attorney General  
Attorney for State Defendants

EYT/vd

cc: Harry T. Collins, Plaintiff  
James E. Drnec, Esq.